

Attorney Docket No. 0756-7227

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Shunpei YAMAZAKI et al.

Serial No. 10/733,352

Filed: December 12, 2003

For: PROCESS FOR PRODUCING A
PHOTOELECTRIC CONVERSION
DEVICE

) Group Art Unit: 2812

) Examiner: S. Isaac

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
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) Commissioner for Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450, on August 22,
) 2005.

Adelle M. Stampen

RESPONSE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed May 20, 2005, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statement filed on December 12, 2003. A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1-42 are pending in the present application, of which claims 1, 10, 22, 30 and 41 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action asserts that "a claim for ... foreign priority must be timely made in this application" and that the "applicant may simply identify the application containing the certified copy" (page 2, Paper No. 0505). The Applicants respectfully submit that a claim for foreign priority was made at the filing of the present application

on December 12, 2003, as evidenced by page 2 of the Japanese Language Declaration and page 3 of the Application Data Sheet. The claim for foreign priority is confirmed in the *Filing Receipt* mailed by the Patent Office on March 19, 2004, and by Patent Office electronic records, i.e. PAIR/IFW.

In response to a request in the Official Action, the Applicants will correct any errors in the specification of which the Applicants become aware.


The Official Action rejects claims 1-12, 14, 16-31, 33 and 35-42 as obvious based on the combination of U.S. Patent No. 5,789,284 to Yamazaki et al. and U.S. Patent No. 6,670,259 to Chan. The Official Action rejects claims 13, 15, 32 and 34 as obvious based on the combination of Yamazaki, Chan and U.S. Patent No. 6,291,888 to Bhat et al.

In order to overcome these rejections, a verified English translation of priority application JP 2001-022471 filed January 30, 2001, will be filed as soon as it is complete and received from Japan. Since Chan has an earliest effective U.S. filing date of February 21, 2001, which is later than the filing date of JP '471, the Applicants respectfully submit that the rejections under § 103 should be overcome. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are in order and respectfully requested.

The Examiner's attention is directed to JP 05-109737, which was submitted with the Information Disclosure Statement filed on December 12, 2003. JP '737 discloses gettering by using argon (see paragraph [0007], line 9, of the full English translation).

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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